

# *Yellowstone County*

**JUSTICE COURT**  
**(406) 256-2895**  
**(406) 256-2898 (FAX)**

**P.O. Box 35032**  
**Billings, MT 59107-5032**



## **MEMO**

FROM: JUSTICE COURT

TO: ALL PLAINTIFFS AND INTERESTED PERSONS

SUBJECT: DEFAULT JUDGMENTS

SERVICEMEMBERS CIVIL RELIEF ACT (SCRA)

DATE: AUGUST 30, 2005

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The Servicemembers Civil Relief Act (SCRA, Sec 102) applies to all judicial and administrative proceedings in any court or agency (federal, state, county, city/municipal) in any jurisdiction of the U.S., its states, and U.S. territories.

Under the Act (Sec. 201), before a court may render a default judgment a plaintiff must first satisfy the court that a defendant's inability to appear was not by reason of military service.

Before the Yellowstone County Justice Court will render a default judgment, the plaintiff must file an affidavit as to defendant's military status, stating either:

- a. The defendant is NOT in the military;
- b. The defendant is in the military; or
- c. The defendant's military status is unknown.

All future requests for a default judgment must be accompanied by an affidavit as to a defendant's military status. No default judgment will be entered until the affidavit is received by the court.